

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SAMIRA SIERRA et al.,	:
	:
Plaintiffs,	: <u>ORDER</u>
	:
-v.-	: 20 Civ. 10291 (CM) (GWG)
	:
CITY OF NEW YORK et al.,	:
	:
Defendants.	:
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GABRIEL W. GORENSTEIN, United States Magistrate Judge

With regard to the proposal made in Docket # 201, paragraph 21 of the Order granting approval of the class action (Docket # 189) reflects that a determination is to be made as to whether certain individuals are “Class Members.” The City provides no textual or other analysis that would allow the Court to find that this determination must be based on evidence that was made available to the City at any particular time. With this limitation on evidence removed, the Court believes the most sensible process to follow is for Class Counsel to promptly provide to the City a sworn statement from the Claimant on the issue of class membership as well as all other evidence, whether documentary or otherwise, that Class Counsel has to prove the Claimant’s status as a class member. Those materials should be provided to the City by noon on Monday, January 22, 2024.

A telephone conference to discuss the next steps in this matter (including whether a testimonial hearing is necessary) shall take place on Tuesday, January 23, 2024 at 11:00 a.m.

At that time, the parties shall dial (888) 557-8511 and use access code: 6642374. The public may also dial in but will be permitted only to listen. When dialing in to the conference, the parties must be in a quiet location, must not be outdoors or in a vehicle, and must not use a speakerphone. The Court will record the proceeding for purposes of transcription in the event a transcript is ordered. However, any other recording or dissemination of the proceeding in any form is forbidden.

Each attorney or unrepresented party is directed to ensure that all other attorneys or unrepresented parties in the case are aware of the conference date and time. In addition, any requests for an adjournment must be made in compliance with Judge Gorenstein’s rules (available <https://nysd.uscourts.gov/hon-gabriel-w-gorenstein>).

SO ORDERED.

Dated: January 17, 2024
New York, New York



GABRIEL W. CORENSTEIN
United States Magistrate Judge